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PTO/SB/05 (03-01)

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<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>		Attorney Docket No. 9875-0008-999 Total Pages 10 <i>First Named Inventor or Application Identifier</i> Paul M. Hagelin et al. Express Mail Label No. EV 313 841 311 US
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07/25/03  
U.S. PTO  
9704 628127

<b>APPLICATION ELEMENTS</b> <i>See MPEP chapters 600 concerning utility patent application contents.</i>		<b>Commissioner for Patents</b> <b>P.O. Box 1450</b> <b>Mail Stop PATENT APPLICATION</b> <b>Alexandria, VA 22313-1450</b>
<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form <i>(Submit an original, and a duplicate for fee processing)</i></p> <p>2. <input checked="" type="checkbox"/> Applicant claims Small Entity status, see 37 C.F.R. § 1.27</p> <p>3. <input checked="" type="checkbox"/> Specification [Total Pages 24] <i>(preferred arrangement set forth below, MPEP 1503.01)</i></p> <ul style="list-style-type: none"> <li>- Descriptive title of the Invention</li> <li>- Cross Reference to Related Applications</li> <li>- Statement Regarding Fed sponsored R&amp;D</li> <li>- Reference to Microfiche Appendix</li> <li>- Background of the Invention</li> <li>- Brief Summary of the Invention</li> <li>- Brief Description of the Drawings (if filed)</li> <li>- Detailed Description of the Invention (including drawings, if filed)</li> <li>- Claim(s)</li> <li>- Abstract of the Disclosure</li> </ul> <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets 11]</p> <p>5. <input checked="" type="checkbox"/> Oath or Declaration [Total Sheets 2]</p> <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> Newly executed (original or copy)</li> <li>b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i></li> <li>i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</li> </ul> <p>6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p> <p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</p> <p>8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i> <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> Computer Readable Form (CRF)</li> <li>b. <input type="checkbox"/> Specification Sequence Listing on:           <ul style="list-style-type: none"> <li>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or</li> <li>ii. <input type="checkbox"/> paper</li> </ul> </li> <li>c. <input type="checkbox"/> Statement verifying identity of above copies</li> </ul> </p>		
<b>ACCOMPANYING APPLICATION PARTS</b>		
<p>9. <input type="checkbox"/> Assignment Papers (cover sheet &amp; document(s))</p> <p>10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney <i>(when there is an assignee)</i></p> <p>11. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations</p> <p>13. <input checked="" type="checkbox"/> Preliminary Amendment</p> <p>14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i></p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i></p> <p>16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(i). Applicant must attach form PTO/SB/35 or its equivalent</p> <p>17. <input type="checkbox"/> Other:</p>		

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation  Divisional  Continuation-in-part (CIP) | of prior application No.: 10/052,148 filed January 16, 2002.

Prior application information: Examiner: James Phan Group Art Unit: 2872

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

#### 19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number <b>24341</b> <i>Insert Customer No. or Attach bar code label here</i>		or <input type="checkbox"/> Correspondence address below	
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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

PENNIE &amp; EDMONDS LLP DOCKET NO. 9875-0008-999

Express Mail No. EL 313 841 311 US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Prior application:      Examiner James Phan  
                             Art Unit 2872

19704 U.S. PTO  
 10/628127  
 07/25/03



Commissioner for Patents  
 P.O. Box 1450  
 Mail Stop PATENT APPLICATION  
 Alexandria, VA 22313-1450

Sir:

This is a request for filing a  continuation  divisional application under 37 CFR § 1.53(b), of pending prior application no. 10/052,148 filed on January 16, 2002.

of Paul M. Hagelin and Olav Solgaard

(inventor(s) currently of record in prior application)

for APPARATUS AND METHOD FOR OPTICAL RASTER-SCANNING IN A MICROMECHANICAL SYSTEM

(title of invention)

1.  The filing fee is calculated below:

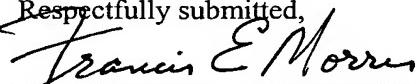
**PATENT APPLICATION FEE VALUE**

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	1	- 20	0	\$18.00 each	\$ 0.00
Independent	1	- 3	0	\$84.00 each	\$ 0.00
			Minimum Fee		\$ 750.00
			Multiple Dependency Fee		\$ 0.00
			If Applicable (\$280.00)		\$ 750.00
				Total	\$ 750.00
			Applicant qualifies for the 50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern		\$ 375.00
				Total Filing Fee	\$ 375.00

2.  Please charge the required fee to PENNIE & EDMONDS LLP deposit account no. 16-1150. A copy of this sheet is enclosed for such purpose.
3.  Amend the specification by inserting before the first line the following sentence: This is a division of application no. 10/052,148, filed January 16, 2002 which is a division of application no. 09/714,053 filed November 15, 2000 which is a division of application no. 09/337,016 filed June 30, 1999, now U.S. Patent No. 6,246,504 B1.

- 4a.  New formal drawings are enclosed.
- 4b.  Informal drawings are enclosed.
- 5a.  Priority of application no. filed on in is claimed under 35 U.S.C. §119.
- 5b.  The certified copy has been filed in prior application no. , filed .
6.  The prior application is assigned of record to .
- 7a.  A copy of the Power of Attorney filed in the prior application no. , filed is enclosed.
- 7b.  A Power of Attorney is enclosed.
8.  This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §§1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application no., filed on be made a part of the present application as provided for by 37 C.F.R. §1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from application no. is enclosed.
9.  The undersigned states, under 37 C.F.R. §1.821(f), that the content of the enclosed paper Sequence Listing from application no. is the same as the content of the computer readable form submitted in application no. .
10.  DO NOT PUBLISH. I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).
11.  Additional enclosures or instruction  
 - a copy of the application and declaration from the parent application are enclosed; and  
 - please enter the enclosed Preliminary Amendment before calculating the filing fee.

Date July 25, 2003

Respectfully submitted,  


Francis E. Morris  
 for Gary S. Williams  
 PENNIE & EDMONDS LLP  
 3300 Hillview Avenue  
 Palo Alto, California 94304

24,615

(Reg. No.)  
31,066